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S E C R E T SECTION 1 OF 2 BUENOS AIRES 2136

INS FOR INS/CORAP (MR POTTER)

STATE FOR S/RP (AILEEN ROBINSON)

E.O. 12065: RDS-4 3-11-2000 (HASSETT, FREDERICK H) OR-V
TAGS: CVIS SREF SHUM AR (ZARATE, JUAN CARLOS)
SUBJ: (U) HEMISPHERIC PAROLE PROGRAM: REQUEST FOR INS REVIEW, CASE OF JUAN CARLOS ZARATE, 369/79/1

REF: (A) 79 BUENOS AIRES 10279, (B) 79 BUENOS AIRES 0820

1. (U) CASE STATUS: EMBASSY HAS BEEN INFORMED THAT JUAN CARLOS ZARATE, 369/79/1, HAS BEEN GRANTED THE RIGHT OF OPTION BY THE GOA FOR TRAVEL TO THE UNITED STATES. THEREFORE, EMBASSY REQUESTS INS REVIEW AND DECISION ON THIS CASE AS QUICKLY AS POSSIBLE.

2. (U) BIOGRAPHICAL DATA: SUBJECT, DPOB: NOV 19, 1940, MENDOZA, ARGENTINA. SPOUSE: TRINIDAD CORVALAN DE ZARATE, DPOB: AUG 20, 1941, GODOY CRUZ, MENDOZA, ARGENTINA. CHILDREN: CARLOS ALEJANDRO ZARATE, DPOB: AUG 21, 1964, GODOY CRUZ, MENDOZA, ARGENTINA AND GRACIELA ELBA ZARATE, DPOB: DEC 14, 1966, GODOY CRUZ, MENDOZA, ARGENTINA.

3. (U) CONSULAR OFFICER'S INTERVIEWAND RECOMMENDATION OF AUG 21, 1979:
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QUOTE - MR. JUAN CARLOS ZARATE WAS BORN AND RAISED IN THE CITY OF MENDOZA, PROVINCE OF MENDOZA, ARGENTINA. MR. ZARATE IS MARRIED AND HAS TWO CHILDREN. MR. ZARATE'S WIFE,

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TRINIDAD CORVALAN DE ZARATE, IS ALSO PRESENTLY DETAINED IN VILLA DEVOTO PRISON IN BUENOS AIRES.

4. (U) - QTE - MR. ZARATE ATTENDED HIGH SCHOOL IN THE CITY OF MENDOZA AT THE ESCUELA DE CAPACITACION TECNICA AND DROPPED OUT IN 1957 AFTER COMPLETING THREE YEARS OF STUDY. WHILE A STUDENT, MR. ZARATE STATED THAT HE BELONGED TO NO STUDENT ORGANIZATIONS NOR PARTICIPATED IN ANY STUDENT ORGANIZATION ACTIVITIES.

5. (U) - QTE - MR. ZARATE STARTED WORKING IN 1954 IN MENDOZA AS A METAL WORKER IN A WINE MACHINERY MANUFACTURE PLANT. IN 1960, HE SWITCHED JOBS AND FOUND WORK AS AN ASSEMBLYMAN AT INDUSTRIA CARROCERA, A MENDOZA FIRM THAT ASSEMBLED BUSES. HE WORKED FOR THIS COMPANY UNTIL 1973 WHEN HE FOUND EMPLOYMENT AS A PROJECT INSPECTOR FOR THE MINISTERIO DE GOBIERNO OF THE PROVINCE OF MENDOZA. IN 1974, MR. ZARATE QUIT HIS GOVERNMENT JOB AND FROM 1974 UNTIL HIS ARREST IN NOVEMBER 1974, HE WORKED ON THE BUILDING OF A SUPERMARKET FINANCED BY THE ASOCIACION BANCARIA DE MENDOZA.

6. (U) - QTE - MR. ZARATE STATED THAT IN 1966 AND 1967 HE WAS A MEMBER OF THE SINDICATO METALURGICO ON MENDOZA BUT WAS NOT ACTIVE IN THE UNION.

7. (U) - QTE - MR. ZARATE STATED THAT HE HAD ALWAYS FAVORED THE PERONIST POLITICAL PARTY AND HAD JOINED THE PARTY IN 1972. HE HAS NEVER HELD ANY POSITION WITHIN THE PARTY BUT HAS BEEN ACTIVE IN THE PARTY'S LOCAL ORGANIZATION. MR. ZARATE STILL CONSIDERS HIMSELF TO BE A PERONIST.

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8. (U) - QTE - MR. ZARATE WAS ARRESTED ON NOVEMBER 18, 1974 WHEN HE AND HIS WIFE WENT TO A FRIEND'S HOUSE TO PICK UP AN OXYGEN TANK THAT MR. ZARATE HAD LOANED THE FRIEND. WHEN MR. AND MRS ZARATE ARRIVED AT THEIR FRIENDJS HOUSE, THEY WERE ARRESTED BY PROVINCIAL POLICE. MR. ZARATE WAS TAKEN TO THE DEPARTMENTO CENTRAL DE POLICIA IN MENDOZA AND AFTER 15 DAYS WAS TRANSFERRED TO THE FEDERAL POLICE HEADQUARTERS IN MENDOZA. HE WAS TRANSFERRED TO THE MENDOZA PRISON AND, FINALLY, TO CASEROS PRISON IN BUENOS AIRES.

9. (U) - QTE - MR. ZARATE IS NOT SURE AS TO WHY HE WAS ARRESTED. HE DOES NOT EVEN KNOW IF HIS FRIEND WAS ARRESTED OR NOT. MR. ZARATE CLAIMS THAT HE WAS NEVER INTERROGATED BY THE AUTHORITIES.

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HE DOES THINK, HOWEVER, THAT HIS ARREST WAS PROBABLY DUE TO HIS MEMBERSHIP IN THE PERONIST POLITICAL PARTY. MR. ZARATE ALLEGED THAT HE WAS FIRST CLEARED OF CHARGES, BUT THEN RETRIED AND SENTENCED TO 4 YEARS FOR HAVING WAR ARMS AND FALSE DOCUMENTS; CHARGES THAT HE DENIES. (COURT RECORDS IN THIS CASE DO NOT LIST ANY EVIDENCE THAT WAS PRESENTED AGAINST ZARATE.) HE STATED THAT HE HAS NEVER PREVIOUSLY BEEN ARRESTED AND HAS NEVER PREVIOUSLY APPLIED FOR THE RIGHT OF OPTION TO LEAVE ARGENTINA.

10. (U) - QTE - IF ALLOWED TO TRAVEL TO THE UNITED STATES, MR. ZARATE WOULD LIKE TO TRAVEL WITH HIS WIFE AND CHILDREN, IF POSSIBLE. HE HAS NEVER VISITED THE USA, HAS NO FAMILY THERE AND SPEAKS NO ENGLISH. HE DOES NOT HAVE SUFFICIENT FUNDS FOR THEIR TRANSPORTATION. MR. ZARATE HAS NEVER HAD ANY SERIOUS MEDICAL PROBLEMS AND HE APPEARED TO BE BOTH MENTALLY AND PHYSICALLY HEALTHY.

11. (U) - QTE - I RECOMMEND THAT JUAN CARLOS ZARATE BE ISSUED A CERTIFICATE OF ACCEPTABILITY AND BE PAROLED INTO THE UNITED STATES. I HAVE REVIEWED THE COURT RECORDS IN THIS CASE AND HAVE ALSO TALKED TO BOTH ZARATE AND HIS MOTHER. THE COURT RECORDS ARE VAGUE AND DO NOT GIVE A DESCRIPTION OF ANY EVIDENCE PRESENTED AGAINST THE APPLICANT. SECURITY CHECKS ON SUBJECT
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REVEALED DEROGATORY INFORMATION, BUT ALL AVAILABLE EVIDENCE IN THIS CASE INDICATES THAT APPLICANT AND THE JUAN CARLOS ZARATE MENTIONED IN THE DEROGATORY SECURITY CHECKS ARE NOT THE SAME PERSON. KENNETH F. SACKETT, VICE CONSUL - UNQUOTE.

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12. (U) TDY IMMIGRATION EXAMINER OLEN R. MARTIN REVIEWED THIS CASE AND DEFERRED HIS DECISION AS FOLLOWS: QUOTE - CLASSIFIED INFORMATION STATES THAT A JUAN CARLOS ZARATE WAS A MEMBER OF A PROSCRIBED ORGANIZATION. DETERMINATION MUST BE MADE AS TO WHETHER OR NOT THEY ARE THE SAME PERSON. O.R. MARTIN, INS, 12-12-79. UNQUOTE.

3.3(b)(1)

13. (S) THE CLASSIFIED INFORMATION REFERRED TO ABOVE IS AS FOLLOWS: QUOTE - [redacted] THAT AS OF NOVEMBER 1964, ONE JUAN CARLOS ZARATE WAS SECRETARY GENERAL OF THE CASERES CHAPTER, PROVINCE OF BUENOS AIRES, ARGENTINE PEACE COUNCIL (CAP). THE CAP, AFFILIATED WITH THE WORLD COUNCIL OF PEACE (WPC), WAS CONSIDERED A COMMUNIST FRONT ORGANIZATION. UNQUOTE.

14. (U) THE POLITICAL SECTION OF THE EMBASSY ALSO SUPPLIED THE FOLLOWING REPORT DATED FEBRUARY 24, 1971: QUOTE - JUAN ZARATE - SECRETARY-GENERAL, BREWERY WORKERS UNION OF CORDOBA, RODRIGUEZ PENA 363, CORDOBA. MR. ZARATE IS IN HIS EARLY FIFTIES. HE HAS BEEN A LABOR LEADER FOR MORE THAN 20 YEARS AND IS WIDELY RESPECTED IN CORDOBA AS WELL AS NATIONAL LABOR CIRCLES. HE IS AN EMPLOYEE OF THE CORDOBA BREWRY COMPANY. HE IS AN ACTIVE PERONIST BUT HE IS CONSIDERED A "SOFTLINER", I.E. WILLING TO DIALOG WITH THE GOVERNMENT. HE IS A LEADER OF THE "LEGALISTA" SECTOR OF THE CORDOBA REGIONAL CGT (GENERAL CONFEDERATION OF LABOR) WHICH IS ATTEMPTING TO REORGANIZE THE CGT ALONG DEMOCRATIC LINES IN THE FACE OF GROWING STRENGTH ON THE FAR LEFT. HE HAS HELD VARIOUS
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POSTS IN THE REGIONAL CGT AND WILL CONTINUE TO HAVE SIGNIFICANT INFLUENCE ON THE CORDOBA LABOR SCENE IN THE FUTURE. UNQUOTE.

15. (U) CONSULAR OFFICER HAS CAREFULLY REVIEWED ALL AVAILABLE INFORMATION (I.E. BIOGRAPHICAL DATA, INTERVIEW NOTES, INTERVIEWS WITH FAMILY MEMBERS, COURT RECORDS) AND HAS CONCLUDED THAT THE TWO JUAN CARLOS ZARATES MENTIONED IN SECURITY CHECKS ARE NOT IDENTIFIABLE WITH ONE ANOTHER NOR WITH THE PAROLE APPLICANT.

16. [redacted] 3.3(b)(1)

[redacted] THE PAROLE APPLICANT HAS NEVER LIVED OUTSIDE OF MENDOZA, AN AREA 750 MILES FROM BUENOS AIRES. HE MARRIED A GIRL FROM MENDOZA IN 1962 AND THEY HAVE TWO CHILDREN BORN IN MENDOZA, 1964 AND 1966. FURTHER, THE APPLICANT WORKED

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FOR INDUSTRIA CARROCERA, A MENDOZA FIRM FROM 1960 UNTIL 1973.

17. (U) IN ADDITION, ZARATE IS A VERY COMMON SURNAME IN ARGENTINA, AS IS THE COMBINATION JUAN CARLOS. THEREFORE, IT IS NOT SURPRISING THAT INFORMATION WAS DEVELOPED THROUGH SECURITY CHECKS FOR THAT NAME.

18. (U) ACTION REQUESTED: CONSULAR OFFICER IS SATISFIED THAT THE APPLICANT, JUAN CARLOS ZARATE, IS NOT IDENTIFIABLE WITH THE ZARATES MENTIONED IN THE SECURITY CHECKS AND RECOMMENDS THAT THE APPLICANT BE PAROLED INTO THE UNITED STATES.
THEREFORE, PLEASE REVIEW THE CASE AS STATED AND RETURN YOUR DECISION TO US AS SOON AS POSSIBLE.
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